

Message Text

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RELAY TO: E-SYSTEMS, INC.
MAJORS FIELD
GREENVILLE, TX 75401
PHONE: 214-455-3450
TELEX NBR. 9108605604

ATTN: B.B. WOLFE, PROGRAM DIRECTOR

FROM: M.E. KAPPLE, ADMINISTRATIVE MANAGER

ESY-SFM NO. 611 DTD 14 DECEMBER 1976

SUBJECT: ATTRITION OF PERSONNEL

REF: TDY TRIP L. PENDLETON/B.B. WOLFE, NOV. 76

1. DURING THE REFERENCED VISIT I HAD A CONVERSATION WITH BOTH PARTIES RELATIVE TO ATTRITING THREE SFM POSITIONS: COMM SPECIALIST, SUPPLY SPECIALIST, AND LOGISTICS COORDINATOR. THE PURPOSE OF THE CONVERSATION WAS TO REACH A MUTUAL UNDERSTANDING AS TO WHEN ONE EACH PERSON FROM EACH OF THESE POSITIONS WOULD BE ATTRITED.

2. MY UNDERSTANDING FROM THIS CONVERSATION WAS THAT THESE POSITIONS WOULD BE ATTRITED UPON COMPLETION OF AN INDIVIDUAL'S CONTRACT, OR IN THE EVENT THERE WERE TERMINATIONS IN THESE CATEGORIES DURING THE COURSE OF THE PROGRAM. BECAUSE ALL SFM PERSONNEL'S CONTRACTS RUN THROUGH SEPT. 1977, THIS MEANT THESE POSITIONS WOULD BE ATTRITED AT THAT TIME.

3. RECENTLY (13 DECEMBER 1976), B. KNAUF AGAIN RAISED THIS QUESTION. HE CLAIMS THE THREE SLOTS MENTIONED ARE TO BE UNCLASSIFIED

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ABOLISHED IN JANUARY, 1977, AND NOT AT THE END OF AN

INDIVIDUAL'S CONTRACT. I INFORMED HIM OF MY PRIOR CON-
VERSATION WITH YOURSELF AND L. PENDLETON AND MY UNDER-
STANDING OF THE CONVERSATION. HE TOOK EXCEPTION WITH THIS
BUT DID INDICATE HE WOULD CHECK WITH SSM UPON HIS RETURN
TO CONUS 17 DEC. 76.

4. PARA. 4 OF THE EMPLOYEE CONTRACT, "TERM OF EMPLOYMENT"
INDICATES EACH EMPLOYEE'S CONTRACT RUNS 12 MONTHS BEYOND
THE BASIC CONTRACT PERIOD, I.E. 12 MONTHS BEYOND 30 SEPT 76.
PARA. 13, "TERMINATION OF EMPLOYMENT" PROVIDES FOR TERMIN-
ATION IN ONLY THREE CASES: (1) IF EMPLOYEE REFUSES OR
IS UNABLE TO WORK...(2) EMPLOYEE QUILTS, (3) EMPLOYEE IS
TERMINATED FOR CAUSE.

5. BASED ON THESE CONTRACT PROVISIONS IT IS MY OPINION
IF ESY TERMINATES PEOPLE, AT ITS CONVENIENCE, PRIOR TO
THEIR CONTRACT COMPLETION DATE THEY HAVE A REMEDY IN
COURT. I BELIEVE AN INDIVIDUAL COULD SUE, AND WIN, FOR
TOTAL CONTRACT WAGES THROUGH SEPTEMBER 1977 PLUS 100
PERCENT BONUS FOR THEIR FULL CONTRACT PERIOD.

6. BECAUSE JANUARY 77 IS ONLY A FEW DAYS AWAY, THIS
MATTER MUST BE RESOLVED WITH SSM IMMEDIATELY. I WILL
AWAIT YOUR INSTRUCTIONS.

USMISSION SINAI. THORNE

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